

ORDINANCE NO. 181856

An ordinance amending Section 5.177 of the Los Angeles Administrative Code by adding a new Subsection (c) to provide authority for settlement by the City Attorney of certain Workers' Compensation cases.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. A new Subsection (c) is added to Section 5.177 of the Los Angeles Administrative Code to read as follows:

(c) Without limiting the authority granted by, or the effect of the provisions in, Subsections (a) and (b) of this Section, and subject only to the approval or disapproval of the Mayor, who shall make client decisions with respect to settlement of such litigation, the City Attorney or the City Attorney's designee for such purpose is authorized to pay, settle or compromise, either by stipulation with request for award or by compromise and release, any workers' compensation claim for which an application for adjudication of claim has been filed with the Workers' Compensation Appeals Board and as to which the Office of the City Attorney provides legal representation through its employees ("**Litigated Claims**"). Each payment, settlement or compromise under the provisions of this section entered into by the City Attorney or the City Attorney's designee shall comply with all of the following conditions:

(1) The amount to be paid shall not exceed a total of Fifty Thousand Dollars (\$50,000); provided, however, that Statutorily Mandated Payments shall not be included in computing the amount to be paid as an authorized settlement under this Subsection when there is no reasonable legal basis to challenge the payment, and no other authorization shall be required to enter into settlements to the extent that they include such Statutorily Mandated Payments. For purposes of this Subsection, Statutorily Mandated Payments include any amounts required by law to be paid as: (i) lifetime medical benefits, (ii) temporary disability payments, (iii) payments for medical treatment made directly to qualified providers, (iv) statutory death benefits after dependency is legally established, and (v) Permanent Disability (including life pension) payments for disability ratings of up to 99%;

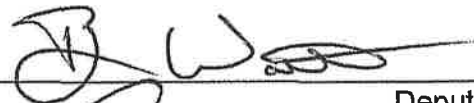
(2) A proper claim and application shall have been filed within the appropriate time limitations; and,

(3) The City Attorney, or the City Attorney's designee, must find conditions indicating a probable liability, conditional or absolute, on the part of the City and, with respect to Statutorily Mandated Payments, that there is no reasonable legal basis to challenge the payment.

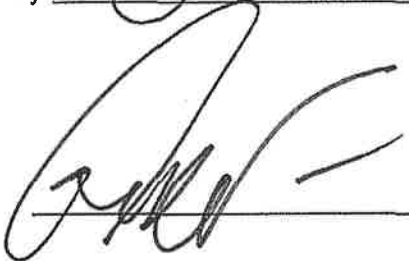
Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of AUG 17 2011.

JUNE LAGMAY, City Clerk

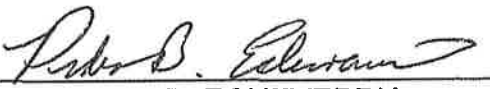
By  Deputy

Approved AUG 23 2011

 Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By   
PEDRO B. ECHEVERRIA  
Chief Assistant City Attorney

Date July 22, 2011

File No. 11-1284